

By: Thompson of Harris, Garcia,  
Jones of Harris, Davis

H.B. No. 327

A BILL TO BE ENTITLED

AN ACT

relating to the affirmative defense to prosecution for a criminal  
offense for persons acting under duress.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 8.05(c), Penal Code, is amended to read  
as follows:

(c) Compulsion within the meaning of this section exists  
only if the force or threat of force would render a reasonable  
person in the situation of the defendant [~~reasonable firmness~~]  
incapable of resisting the pressure.

SECTION 2. The change in law made by this Act applies only  
to an offense committed on or after the effective date of this Act.  
An offense committed before the effective date of this Act is  
governed by the law in effect on the date the offense was committed,  
and the former law is continued in effect for that purpose. For  
purposes of this section, an offense was committed before the  
effective date of this Act if any element of the offense occurred  
before that date.

SECTION 3. This Act takes effect September 1, 2023.